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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

TAKUJI OKAMOTO, ET AL. : EXAMINER: LU, C. CAIXIA

SERIAL NO.:10/088,505 :

FILED: MARCH 28, 2002 : GROUP ART UNIT: 1713

FOR: PROPYLENE POLYMER, AND RESIN COMPOSITION AND MOLDED PRODUCT THEREOF

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS

ALEXANDRIA, VIRGINIA 22313

SIR:

I, TAKUJI OKAMOTO, of 1-1, Anesakikaigan, Ichihara-shi, Chiba-ken, Japan, declare that:

1. I am a graduate of Osaka University and received a doctor's degree in the year 1988.

2. I have been employed by Idemitsu Petrochemical Co., Ltd. (now, Idemitsu Kosan Co., Ltd.), for eleven years as a researcher in the field of polymer chemistry.

3. I am familiar with the subject matter disclosed in the above-identified application.

4. I have reviewed the Office Action mailed December 14, 2004, and note that the Examiner maintains the rejections based on Gauthier et al. (Macromolecules 1995, 28, 3771-3778).

5. To examine whether the polypropylene of the cited reference meets the parameters recited in the claims of the above-identified application, I have prepared the polypropylene according to Examples of the cited reference.

EXPERIMENT

(1) Experiment I-1 (Entry 1 listed in Table 4 of Gauthier et al.)

In the same process as in Entry 1 listed in Table 4 of Gauthier et al., 0.25 g of a polypropylene was obtained.

W 25, H 25, Tm, mmmm fraction, rrrr/(1-mmmm), rmrm fraction, (η), Mw/Mn, 2,1-insertion fraction and 1,3-insertion fraction of the polypropylene obtained in the above were measured according to the methods mentioned in the specification of the above-identified application.

The results obtained are shown in Table I.

(2) Experiment I-2 (Entry 1 listed in Table 5 of Gauthier et al.)

In the same process as in Entry 1 listed in Table 5 of Gauthier et al., 0.28 g of a polypropylene was obtained, except that the amount of methylaluminoxane (MAO) used was 20 mmol.

This was evaluated in the same manner as in Experiment I-1 and the results obtained are shown in Table I.

(3) Experiment II-1 (Entry 2 listed in Table 4 of Gauthier et al.)

In the same process as in Entry 2 listed in Table 4 of Gauthier et al., 0.30 g of

a polypropylene was obtained.

This was evaluated in the same manner as in Experiment I-1 and the results obtained are shown in Table I.

(4) Experiment II-2 (Entry 2 listed in Table 5 of Gauthier et al.)

In the same process as in Entry 2 listed in Table 5 of Gauthier et al., 0.26 g of a polypropylene was obtained.

This was evaluated in the same manner as in Experiment I-1 and the results obtained are shown in Table I.

Table I

Item	Ex. I-1	Ex. I-2	Ex. II-1	Ex. II-2
W25 wt%	>99	>99	>99	>99
H25 wt%	>99	>99	>99	>99
Tm °C	n.d	n.d	n.d	n.d
mmmm fraction mol%	30.6	38.7	30.1	32.5
rrrr/(1-mmmm)	0.07	0.05	0.07	0.06
rmrm fraction mol%	2.7	2.7	2.6	2.7
(η) dl/g	0.4	0.3	0.3	0.3
Mw/Mn	2.2	2.1	2.1	2.2
2,1-insertion fraction mol%	0	0	0	0
1,3-insertion fraction mol%	0	0	0	0

(2) Evaluation

From the Table I, the polypropylene of Gauthier et al. fails to meet the claimed requirements (H25) and (η).

6. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 6, 2005

Takuji Okamoto

Takuji OKAMOTO